



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,129	02/11/2004	Raymond Metzger	121817.001.087	3555
7590 Kirt S. O'Neill AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P. P.O. Box 12870 San Antonio, TX 78212			EXAMINER KHAN, USMAN A	
			ART UNIT 2622	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/776,129	Applicant(s) METZGER ET AL.	
	Examiner Usman Khan	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/14/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

The information disclosure statements (IDS) submitted on 07/10/2006 and 10/18/2006 have been considered by the examiner. The submissions are in compliance with the provisions of 37 CFR 1.97.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 - 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Fryer (US patent No. 6,233,428).

Regarding **claim 1**, Fryer teaches a surveillance system having a plurality of video cameras disposed on a common network adapted for communicating with a computer system via a common network (figure 1; column 6 lines 12 – 45 video cameras (1) are connected to a internet service provider (9) and a broadcast server (3)), the system comprising:

a. A plurality of cameras (figure 1 items 1; and column 6 lines 24 *et seq.*);

b. A digitizer for each camera (figure 6 step 210; and figure 1 item (6) and column 1 lines 17 – 28 and column 4 lines 56 *et seq.* multi-media computers (6) digitizes the video);

c. A network interface for each camera (column 6, lines 24 – 34 each camera communicates through network interface card);

d. Each camera communicating with a computer system through the network interface (column 6, lines 24 – 34 each camera communicates through network interface card).

Regarding **claim 2**, as mentioned above in the discussion of claim 1, Stauffer teaches all of the limitations of the parent claim. Additionally, Stauffer teaches a compressor associated with each camera in advance of the network interface (figure 1 item (6) and column 1 lines 17 – 28 and column 4 lines 56 *et seq.* multi-media computers (6) compresses the video signals).

Regarding **claim 3**, as mentioned above in the discussion of claim 1, Stauffer teaches all of the limitations of the parent claim. Additionally, Stauffer teaches that the computer system is an archival server (column 6 lines 54 *et seq.* videos stamped and archived for later retrieval).

Regarding **claim 4**, as mentioned above in the discussion of claim 1, Stauffer teaches all of the limitations of the parent claim. Additionally, Stauffer teaches that the

Art Unit: 2622

computer system is a personal computer connected to the network (column 4 lines 37 – 42, column any computer with an internet connection and column 4 lines 56 *et seq.* multi-media computer)..

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ritter et al. (US patent No. 7,065,140) teaches a camera network for digitizing and sending the video feeds to a computer.

Suzuki et al. (US patent No. 6,608,649) teaches a camera network for digitizing and sending the video feeds to a computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usman Khan whose telephone number is (571) 270-1131. The examiner can normally be reached on Mon-Thru 6:45-4:15; Fri 6:45-3:15 or Alt. Fri off.

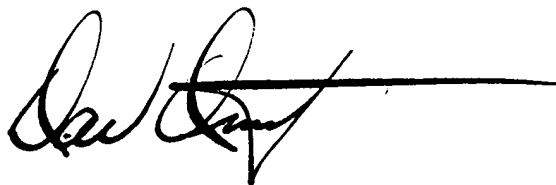
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Usman Khan  
03/19/2007  
Patent Examiner  
Art Unit 2622



DAVID OMETZ  
SUPERVISORY PATENT EXAMINER